

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

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|------------------------------|---|--------------------------------|
| TYRONE SINGLETON, | : | |
| | : | Civ. No. 1:13-cv-2711 |
| Plaintiff, | : | |
| | : | |
| v. | : | |
| | : | Judge Rambo |
| LAUREL HARRY, et al., | : | |
| | : | Magistrate Judge Schwab |
| Defendants. | : | |

MEMORANDUM

Before the court is a report and recommendation (Doc. 24) filed by the magistrate judge in which she recommends that Defendants' motion to dismiss be granted in part and denied in part. She recommends that Plaintiff Tyrone Singleton's claim of a violation of his Eighth Amendment rights by being placed in solitary confinement be dismissed and that his claim of being confined without a parole revocation hearing not be dismissed.

On August 9, 2016, Defendants filed a motion to supplement the record. (Doc. 26.) By order of August 18, 2016 (Doc. 27), the magistrate judge denied the motion without prejudice to Defendants filing a motion for summary judgment pursuant to Middle District Local Rule 56.1.

In her report and recommendation, the magistrate judge found that the length of administrative confinement did not violate Singleton's due process rights and that he did not allege facts from which it could reasonably be inferred that he was subjected to atypical and significant hardships in relation to the ordinary

incidents of prison life such that he had a liberty interest protected by the Due Process Clause. (Doc. 24, p. 23.) Her recommendation that the motion to dismiss Singleton's claim of being confined without a parole revocation hearing not be granted was due to an incomplete record on this issue.

Based on this court's review of the record and the case law applicable to the issues, the report and recommendation will be adopted.

s/Sylvia H. Rambo

SYLVIA H. RAMBO

United States District Judge

Dated: September 13, 2016